

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

PROMEGA CORPORATION,

Plaintiff,

and

MAX-PLANCK-GESELLSCHAFT zur
FORDERUNG der WISSENSCHAFTEN E.V.,

Case No. 10-cv-281-bbc

Involuntary Plaintiff,

v.

LIFE TECHNOLOGIES CORPORATION,
INVITROGEN IP HOLDINGS, INC., and
APPLIED BIOSYSTEMS, LLC,

Defendants.

DEFENDANTS' OBJECTIONS TO PLAINTIFF'S BILL OF COSTS

NOW COME Defendants Life Technologies Corporation, Invitrogen IP Holdings, Inc., and Applied Biosystems, Inc. (collectively, "Life") and for their objections to Plaintiff's Bill of Costs, state as follows:

GENERAL OBJECTIONS

1. Defendants object to all costs which the Plaintiff seeks which were incurred prior to the filing of this action on May 26, 2010, including items 1-8 on Exhibit C to the supporting affidavit of Attorney Sarah Troupis.

2. Defendants object to those Alphagraphics charges which do not specify what the charges were, in fact, for.

3. Defendants object to those data production costs which appear to be more appropriately split evenly between the parties rather than allocated entirely to Defendants.

4. Defendants object to the various shipping charges set forth in many of the invoices.

5. Defendants object to Plaintiff's failure, in their Bill of Costs, to account for those claims on which Defendants either prevailed at the summary judgment level or that Plaintiff ultimately dismissed prior to trial.

6. Defendants object that Plaintiff fails to delineate those costs which related to arbitration issues.

7. Defendants object to Plaintiff's in-house copy charges in that there is no amount per copy specified so it is not possible to determine the reasonableness of these costs.

8. Defendants object to the various copies of document which were made specifically for personal use by Plaintiff's multiple counsel.

SPECIFIC OBJECTIONS

Defendants do not object to the \$350.00 filing fee or the \$668.00 fee for service of subpoenas. Subject to Defendants' objection to payment of deposition transcript costs which are related to claims which were dismissed, Defendants do not object to the remaining deposition and trial transcript costs.

Attached hereto as Exhibit A is a detailed chart setting forth Defendants' specific objections to the copy costs which Plaintiff seeks.

Dated this 12th day of April, 2012.

AXLEY BRYNELSON, LLP

/s/ Michael J. Modl

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